

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants wish to thank the Examiner for the notice that claims 1-5 and 13-15 have been allowed.

Claim 10 has been objected to because of informalities. Claim 10 has been amended to correct the informalities.

Claims 10-12 stand rejected under 35 U.S.C. §101 because the claims are allegedly directed to non-statutory subject matter. As a preliminary matter, Applicants respectfully submit that this rejection is untimely and should be withdrawn. The Patent Office has already examined the claims at least three times prior and each time, found the claims to be directed to statutory subject matter.

In addition, it is alleged that “any other suitable storage medium” in the Specification can allegedly be broad enough to cover software per se rather than physical structure as required by the MPEP. (See rejection, page 3). Applicants respectfully submit that such a statement is inconsistent with the actual terms being quoted. The actual language in the Specification refers to a storage medium containing executable instructions. As known in the art, a storage medium that contains executable instructions is a piece of hardware and as provided in the examples, can include RAMs, ROMs, CDROMs, databases, or any other suitable storage mechanisms that can store executable instructions that when executed by one or more processors, causes one or more processors to operate in the manner provided by the executable instructions. Applicants respectfully submit that the language to one of ordinary skill in the art cannot include software per se since the language does not say that the storage medium is software only. To the contrary, it actually states that it is a medium that stores executable instructions. Also, it appears that the wording in the Specification has been mischaracterized. With respect to the database, it is the database, not accessing the database

via the Internet, which is the storage medium. The office action states “by accessing a database via the Internet” that the claim is somehow directed to a carrier signal. Applicants again respectfully note that the Specification does not equate a storage medium to a carrier signal. To the contrary, it states that one example of a storage medium may be a database that may be remotely accessible, for example, via the Internet or other suitable network. In addition, Applicants respectfully note that the subject matter in the claim is functionally descriptive material as opposed to non-functional, descriptive material such as copyrightable work. Again, the claims are in condition for allowance and the rejection should be withdrawn.

Claims 6-9 and 16-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schmitz and further in view of Dahlen et al. Applicants have canceled claims 6, 7, 16 and 17 without prejudice to expedite prosecution. Remaining claims 8 and 9 will be addressed. This is a new ground of rejection.

Claim 8 requires, among other things, that in response to receiving the retransmitted authentication code from the intermediate destination unit, the method includes returning the authentication code to the authentication unit. The office action does not address this language and Applicants respectfully submit that the cited portions of the Schmitz reference do not teach this subject matter. Applicants also respectfully note that the Dahlen reference has also not been cited as teaching this subject matter. Accordingly, the claim is in condition for allowance.

In addition, the cited portion of Dahlen as admitted in the office action, refers to the parallel execution of commands for separate coupling facilities. Such operation does not appear relevant to the claim and as such, does not appear to be analogous. For example, the claim does not require the parallel execution of commands. As such, combining the teachings of Dahlen with that of Schmitz would merely result in the system of Schmitz which

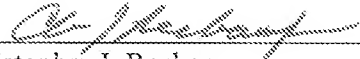
performs some sort of parallel execution of commands. However, such subject matter is not claimed by Applicants. Accordingly, Applicants respectfully submit that Dahlen in combination with Schmitz also does not teach the claimed subject matter. In addition, Applicants respectfully note that the cited portion of Dahlen, namely column 6, lines 48-50 makes no mention of any codes being communicated transparent to a user. As such, the reference does not teach what is alleged and the claims are also in condition for allowance for this reason as well.

The dependent claims add additional novel and non-obvious subject matter.

Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Date: 7/5/07

By: 
Christopher J. Reckamp
Registration No. 34,414

Vedder, Price, Kaufman & Kammholz, P.C.
222 N. LaSalle Street
Chicago, Illinois 60601
PHONE: (312) 609-7599
FAX: (312) 609-5005